

Department of Justice

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Western District of New York

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WILLIAMSVILLE MAN ARRESTED, CHARGED **WITH SELLING SYNTHETIC MARIJUANA**

BUFFALO, N.Y.-- U.S. Attorney William J. Hochul, Jr. announced today that Fawzi Al-Arashi, 34, of Williamsville, N.Y., was arrested and charged by Criminal Complaint with possession with intent to distribute a controlled substance analogue and conspiracy to possess with intent to distribute and distribution of a controlled substance analogue. The charges carry a maximum penalty of 20 years in prison, a \$1,000,000 fine, or both. If the substances described below caused serious bodily injury, the punishment will be a mandatory minimum period of incarceration of 20, and a maximum period of life imprisonment.

Assistant U.S. Attorney Frank T. Pimentel, who is handling the case, stated that according to the Criminal Complaint, several months ago, the Los Angeles Field Office of the Drug Enforcement Administration (DEA) notified the DEA's Buffalo Field Office of a suspected synthetic marijuana shipment destined for Buffalo. According to the Criminal Complaint, the package was delivered to the defendant at 3407 Delaware Avenue in the Town of Tonawanda, home of "Town Tobacco."

The Complaint further alleges that subsequent investigation discovered that Al Arashi sold synthetic marijuana, also known as "Spice," under such names as "Pump It," "Strawberry Flavored Potpourri," "Tiger Shack," "Atomic," "G-20," and "California Dreams" out of "Town Tobacco" on Delaware Avenue in Tonawanda, and most recently at "Welcome Welcome" on Main St. in North Tonawanda.

Throughout the investigation, police received numerous complaints regarding the stores. One woman called and stated that her son was in the Erie County Medical Center Psychiatric Ward after using synthetic marijuana that he bought at "Town Tobacco." Another person indicated that they overdosed and had to be hospitalized after using "bath salts" sold at this location.

A confidential informant (CI) told police that they purchased well over \$60,000 of "Spice" from the defendant between October 2011 and July 2012. During a recorded phone conversation, Al-Arashi told the CI that "they're all 100% federally legal" referring to the synthetic marijuana.

During the execution of two search warrants this morning, the U.S. Attorney's Office stated in Court that law enforcement officials seized approximately 30-thousand packets of synthetic marijuana, quantities of bath salts, various paraphernalia used to smoke the marijuana such as bongs, pipes, and rolling papers, and approximately \$50,000 worth of silver bars and coins. More than \$700,000 was also seized.

The defendant made an initial appearance before U.S. Magistrate Judge H. Kenneth Schroeder this morning. Bail was set at \$15,000. Al-Arashi is due back in court July, 27, 2012 at 4:30 p.m.

"Two points need to be made regarding this case," said U.S. Attorney Hohcul. "First, the public's assistance in reporting their concerns to law enforcement, as well as the reporting of the serious health consequences in taking these substances, needs to be commended. In other words, if you see something, say something. Second, law enforcement is fully committed to prosecuting those responsible for introducing these dangerous substances into our community, to include those who operate as wholesalers. In other words, once the public 'says something,' we for are part 'will do something' to include using all of the arrest and seizure powers provided by federal law."

The Criminal Complaint is the culmination of an investigation on the part of the Drug Enforcement Administration, under the direction of Wilbert L. Plummer, Acting Special Agent in Charge, New York Field Division; the New York State Police Community Narcotics Enforcement Team (CNET), under the direction of Major Wayne C. Olson, the Tonawanda Police Department, under the direction of Chief Anthony Palombo, the Niagara Frontier Transportation Authority Police, under the direction of Chief George Gast, the Amherst Police Department, under the direction of Chief John Askey, and the Cheektowaga Police Department, under the direction of Chief David Zack.

The fact that a defendant has been charged with a crime is merely an accusation and the defendant is presumed innocent until and unless proven guilty.

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